

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

OSCAR AMOS STILLEY,

Defendant.

Case No. 09-CR-00043-SEH

OPINION AND ORDER

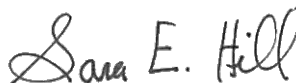
Before the Court are Defendant Oscar Stilley’s motions for review of denial of release pending appeal. [ECF Nos. 836, 837]. Defendant seeks review of his revocation of supervised release on November 13, 2024. [See ECF No. 816].

Stilley filed a notice of appeal immediately following the revocation hearing held on November 13, 2024. [ECF No. 817]. Although the Court entered judgment for revocation on November 15, 2024 [ECF No. 820], Stilley’s notice was still timely because “[a] notice of appeal filed after the court announces a decision, sentence, or order—but before the entry of the judgment or order—is treated as filed on the date of and after the entry.” Fed. R. App. P. 4(b)(2). Stilley’s appeal remains pending in the United States Court of Appeals for the Tenth Circuit. [ECF No. 819]; *United States v. Stilley*, No. 24-5133 (10th Cir. 2024).

This Court does not have jurisdiction to consider Stilley's motions while his appeal is pending. "[W]hen a litigant files a notice of appeal, the district court loses jurisdiction over the case, save for collateral matters not involved in the appeal." *McKissick v. Yuen*, 618 F.3d 1177, 1196 (10th Cir. 2010) (cleaned up); *Griggs v. Provident Consumer Discount Co.*, 459 U.S. 56, 58 (1982) ("The filing of a notice of appeal is an event of jurisdictional significance—it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal."). Stilley is directly appealing the order that revoked his supervised release and remanded him to federal custody. Therefore, the Court lacks jurisdiction to review Defendant's motions.

IT IS THEREFORE ORDERED that Defendant's motions for review of denial of release pending appeal [ECF Nos. 836, 837] are DENIED.

DATED this 16th day of January, 2025.



Sara E. Hill
UNITED STATES DISTRICT JUDGE